IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35311 of 2007(D)

PETITIONER:

ANU T.THOMAS (MINOR),
REPRESENTED BY HER FATHER - GUARDIAN,
THANKACHAN ABRAHAM, THOTTIYIL HOUSE,MANIYARANKUDI,
BHOOMIYAMKULAM, IDUKKI DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:
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1. THE DIRECTOR,
DIRECTORATE OF HIGHER SECONDARY EDUCATION,
HOUSING BOARD BUILDINGS, TRIVANDRUM.

2. THE PRINCIPAL,
ST. GEORGE HIGHER SECONDARY SCHOOL,
VAZHATHOPPU, IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 35311 OF 2007 D
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Dated this the 5th day of December, 2007

J U D G M E N T

The writ petition has been filed praying for directing the respondents to permit the petitioner to appear for the Plus II examination to be held in March 2008. There is a further prayer also to permit the petitioner to remit the fee for the aforesaid examination.

2. In view of the grievance projected by the petitioner, this case was adjourned with a direction to the learned Government Pleader to obtain instructions in the matter. Accordingly, on instructions learned Government Pleader submits that in terms of the instructions that has been furnished by the 1st respondent, a student should secure atleast D+ grading in Plus I examination to be eligible to appear in the Plus II examination. The learned Government Pleader also has been instructed by the 2nd respondent Principal that though the student had appeared for the Plus I examination, she has not passed all the papers and it is therefore that she is not permitted to remit the fee for the Plus II examination.

3. If the Regulations require that a student should clear

all the papers of Plus I to be eligible to appear for the Plus II examination or to remit the fee thereof, a student should satisfy those requirements. In this case, from the instructions that have been obtained by the learned Government Pleader, it is clear that the student is ineligible to appear for the examination. If that be so, the relief sought for in the writ petition cannot be granted.

Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp